

housing finance reform. Ms. Gupta, as chairman of the Conference on Civil Rights, had a different opinion, but I always respected her intellect and her willingness to listen to alternative views and her willingness to really dig into the facts.

With that background as a civil rights leader in the thick of issues around policing, race, and criminal justice reform, she actually led the investigations of police departments in Ferguson, Chicago, and Baltimore.

At the same time, I have a long list of law enforcement groups that are supporting Ms. Gupta's nomination, including the National Fraternal Order of Police. Again, in terms of the FOP, I think in all my career, one time they endorsed me. Again, her receiving that endorsement is different than myself and perhaps even the Senator from Illinois.

Ms. Gupta has also led broad-ranging and robust enforcement and education efforts to combat hate crimes, including the first-ever prosecutions under the newly enacted Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act.

Under her leadership, the Civil Rights Division trained local and Federal law enforcement throughout the country in recognizing, investigating, and proving hate crimes; in educating communities and engaging them in a process of ensuring public safety; and in encouraging better hate crime reporting and data collection.

I would like to close on one other timely credential. As chairman of the Intelligence Committee, I have meticulously chronicled the corrosive effects of disinformation and foreign interference into our elections—something the Presiding Officer is also a national leader on.

Ms. Gupta has been a leading voice for election integrity, thoughtfully and firmly engaging social media platforms to address disinformation on their platforms, as well as voter suppression, hate, division, and violence.

Among the many important roles the Department of Justice has right now, securing our democracy itself is surely near the top of the list.

Vanita Gupta is a person of extraordinary ability. She has the right experience for this role, and I am honored to support her in her nomination today and hope that later today, we will get broad bipartisan support to move forward that nomination.

#### COVID-19 HATE CRIMES ACT

Mr. President, this may be a transfer to a second subject, which actually goes a little bit in concert with talking about Vanita Gupta, and that is rising in support of the COVID-19 Hate Crimes Act and the Jabara-Heyer NO HATE Act.

During the COVID-19 pandemic, our Nation has witnessed a surge in racism, xenophobia, and violence against Asian Americans and Pacific Islanders. In fact, between March of last year and February of this year, there were near-

ly 3,800 hate incidents targeting Asian Americans. It should go without saying that these actions have no place in our communities.

To address this spike in anti-Asian rhetoric and hate crimes, we must stand in solidarity with the AAPI community, and we must act against these heinous crimes. The COVID-19 Hate Crimes Act helps address this crisis head-on.

This bill, very simply, requires Attorney General Garland to designate a coordinator within the Department of Justice to expedite, review, and facilitate reporting of COVID-19 related hate crimes. Further, it requires the DOJ to issue guidance to State and local law enforcement, to equip them with the tools needed to deal with the disturbing surge in incidents targeting the AAPI community.

It is tragic but not surprising that hate crimes in America have always been critically underreported. In fact, reports released by the Department of Justice in recent years suggest that the majority of hate crimes are not even reported—not even reported.

Our current patchwork system, paired with inconsistent reporting and resources, guarantees that many instances of hate-related violence and crimes go uncounted. Not only does this mask the true scale of hate incidents across our Nation, it also means that investigative resources and support structures may not be available to victims who need it.

This problem can be exacerbated by cultural and language barriers and made even worse by the pandemic, which has made it more difficult for folks to get connected with reporting mechanisms or useful resources. Fortunately, the COVID-19 Hate Crimes Act seeks to address these challenges by providing a clearinghouse for these cases.

Over the past decade, our Nation has seen a steady rise in hate crimes. Groups and individuals targeting minority and religious groups have increasingly perpetrated sickening acts of violence fueled by hateful ideologies.

We saw that here on January 6. We also saw it earlier in my State, in Virginia. In Charlottesville, back in 2017, we saw this hate and violence on our streets when a White supremacist drove a car through a group of peaceful protesters, injuring many and killing a young woman named Heather Heyer.

It is critical that we give our law enforcement the tools they need to curb these horrific acts. That is why, on a related item, I am also cosponsor of the bipartisan Jabara-Heyer NO HATE Act. My hope is that it will be offered as an amendment to the COVID-19 bill that we hopefully will be addressing shortly.

This bill modernizes our reporting system for hate crimes so that we can respond to accurate data. It also provides grants to establish hate crime hotlines, to record information about hate crimes, and to redirect victims and witnesses to law enforcement and

local support services as needed. Finally, this bill provides a Federal private right of action for hate crime victims and allows judges to sentence community-specific education and community service. Together, these changes create a new model for addressing these crimes and preventing them from going unreported or unpunished.

Both the COVID-19 Hate Crime Act and the Jabara-Heyer NO HATE Act are straightforward pieces of legislation that give victims and law enforcement officers the tools they desperately need to tackle the increasing prevalence of hate incidents in our country. I hope that we move quickly on both these pieces of legislation in major bipartisan fashion.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Arkansas.

#### NOMINATION OF VANITA GUPTA

Mr. COTTON. Mr. President, Vanita Gupta is President Biden's nominee to be Associate Attorney General. She is unfit for that role. She is unfit because of her radical view that every single American and every single institution in the United States is inherently racist. She is unfit because she lacks the temperament to do the job, as evidenced by her relentless attacks on the integrity and character of judges and Senators alike, seemingly anytime she had a mere disagreement with them. She is certainly unfit based on her attempts to mislead the Senate in her Judiciary Committee hearing.

Ms. Gupta has been before the committee many times as a partisan advocate. There is nothing wrong with that, but her past appearances do give us a glimpse of what she believes when she isn't seeking our votes for confirmation.

Less than a year ago, June of last year, she came before the Senate Judiciary Committee to testify on police reform. When she was asked "Do you believe all Americans are racist?" she replied under oath "Yes, I do." Think about that. The person nominated by Joe Biden to oversee, among other things, the Federal Government's civil rights enforcement says that she believes every single American is racist.

This preposterous idea that anyone and everyone is inherently racist is at the core of the pernicious ideology pushed by the left called "critical race theory." But this position was not an anomaly, a misstatement, or a new position for Mrs. Gupta. In 2005, she published an article in the *Fordham Law Review* on what she called "Critical Race Lawyering." In that article, Ms. Gupta argued that "the rule of law" and "equal justice for all" and "equal protection" aren't the great bulwarks of our liberty, aren't the single achievements of our Republic and our constitutional form of government, but instead "code words"—that is what she called them—for some kind of twisted racism. Anyone who thinks that the rule of law or equal justice for all or